

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

AUG 5 2005

DAVID J. MALAND, CLERK
BY DEPUTY

DENNIS R. POPEJOY

§

§

V.

§

CASE NO. 4:04cv395

Commissioner of Social
Security Administration

§

(Judge Brown/Judge Bush)

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§

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action for judicial review of the administrative denial of Supplemental Security Income, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On August 1, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that the decision of the commissioner should be reversed.

As neither party has filed objections to the Report and Recommendation, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, ORDERED, ADJUDGED and DECREED that the decision of the Commissioner shall be and is hereby REVERSED. All motions by either party not previously ruled on are hereby DENIED.

SIGNED this 5 day of August, 2005.


PAUL BROWN
UNITED STATES DISTRICT JUDGE